

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

REAGENT LONSTAR GROUP, LLC
MARK DANIELS,

Plaintiffs,

V.

**NATIONSTAR MORTGAGE LLC d/b/a
MR. COOPER and ANDY PLATLAN,
individually, its/their successors and/or
assigns,**

Defendants.

Civil Action No. 5:24-cv-00947

**PLAINTIFFS' COUNSEL'S UNOPPOSED MOTION TO WITHDRAW
AS COUNSEL OF RECORD FOR PLAINTIFF**

NOW COMES JOHN G. HELSTOWSKI and the J. Gannon Helstowski Law Firm, counsel of record (“Plaintiffs’ counsel”) for Reagent Lonestar Group, LLC, and Mark Daniels, (“Plaintiffs”), and hereby moves this court to allow him to withdraw as Plaintiffs’ counsel of record in this cause, and in support thereof would respectfully show unto the Court the following:

1. On August 1, 2024, Plaintiff and Plaintiff's counsel executed a Contractual Agreement for Legal Services ("Fee Agreement"), wherein Plaintiffs agreed to compensate their counsel to represent them in this matter. The Fee Agreement clearly sets for the terms and conditions of the engagement, including the requirement that Plaintiffs timely pay monthly

payments of their accruing attorney's fees and costs. A true and correct copy of the Fee Agreement is attached hereto marked Exhibit "A".

2. Under the express terms of the Fee Agreement, Plaintiffs agreed to pay Plaintiffs' counsel an initial \$4,000.00 down payment, and to then make regular monthly payments of \$1,000.00 per month for all attorney's fees and costs incurred through completion of the case.

3. On August 5, 2024, Plaintiffs' counsel, on behalf of Plaintiffs, filed *Plaintiffs' Original Verified Petition* under Cause No. 2024CI16590 in the 73rd Judicial District Court of Bexar County, Texas ("State Court action").

4. On or about August 23, 2024, Defendant Nationstar Mortgage LLC dba Mr. Cooper filed its Notice of Removal and removed the state court action to the papers above.

5. Plaintiffs' counsel has continued to diligently represent Plaintiffs in this matter, as well as engaging in informal settlement negotiations with Defendant's counsel, including numerous follow up email communications with opposing counsel regarding the same.

6. Commencing on January 2025, Plaintiffs did not timely make their monthly payment of attorney's fees due and owing under the Fee Agreement. After various attempts to collect payment were made by Plaintiffs' counsel, Plaintiffs have now accrued a past due balance that is more than ninety (90) days overdue.

7. Plaintiffs' counsel continuously made efforts to collect payments from Plaintiffs over the next couple of months, but Plaintiffs have failed or refused to remit any further payments in full. As of the date hereof, Plaintiffs have now accrued a past due balance that is three (3) months in arrears, for a total of \$4,000.00 that is currently due and owing.

8. Plaintiffs' counsel has been very patient with Plaintiffs and has made repeated, numerous phone calls and sent written emails to Plaintiffs demanding payment of the past due attorney's fees and costs owed under the Fee Agreement, and Plaintiffs have failed, neglected, or refused to pay their counsel the contractual amounts due and owing.

9. Therefore, since Plaintiffs have breached the express terms of the Fee Agreement and continues to be in breach by his ongoing and continuous failure pay the amounts due and owing, and their failure to assist counsel in the prosecution of this cause, Plaintiffs' counsel is unable and unwilling to continue to represent Plaintiffs, nor is he willing to advance any further out-of-pocket costs on behalf of the Plaintiffs, and hereby seeks permission to withdraw.

10. This motion is not sought for purposes of delay or harassment, but rather so that justice may be done. No party will be materially harmed or prejudiced by the granting of this motion, and no party is opposed as evidenced by the attached Certificate of Conference of counsel.

11. Plaintiff's last known address and email address are as follows:

VIA EMAIL: mdaniels@reagentcap.com

Mark Daniels

1209 Orange Street

Wilmington, DE 19801

Telephone: 609-439-3677

12. On April 15, 2025, Plaintiffs' counsel emailed and sent by certified mail, return receipt requested, and regular first-class mail, a letter to Plaintiffs with a copy of this Motion and a proposed Order to Plaintiffs' last known email address and physical home address, and requested that Plaintiffs provide their written consent for counsel to withdraw, and provided notice of all pending deadlines in this civil action and copies of all pleadings,

motions, and orders filed, as well as informed Plaintiffs that they have the right to file a written objection/response to this Motion and request a hearing setting for the same. A true and correct copy of the certified letter sent by Plaintiffs' counsel to Plaintiff is attached hereto marked Exhibit "B" and incorporated herein by reference for all purposes.

WHEREFORE, Plaintiffs' undersigned counsel of record, John G. Helstowski, and his law firm, The J. Gannon Helstowski Law Firm, respectfully requests that the Court grant all relief requested in the foregoing motion for the reasons set forth therein, and enter an Order granting this motion and allow him to withdraw from further representing Plaintiff in this civil action, and for such other and further relief, at law or in equity, to which Plaintiff's counsel may show himself justly entitled.

Respectfully submitted,

/s/ John G. Helstowski

John G. Helstowski
Texas State Bar No. 24078653
J. GANNON HEWLSTOWSKI LAW FIRM
5209 Heritage Ave, Suite 510
Colleyville, TX 76034
Tel. (817) 382-3125
Fax. (817) 382-1799
Email: jgh@jghfirm.com
Lead counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2025, a true and correct copy of the foregoing *Plaintiffs' Counsel's Unopposed Motion to Withdraw as Counsel of Record* was served upon all parties and counsel of record in this cause pursuant to the Federal Rules of Civil Procedure and to Plaintiff as follows:

VIA EMAIL: mdaniels@reagentcap.com

Mark Daniels
1209 Orange Street
Wilmington, DE 19801
Telephone: 609-439-3677

/s/ John G. Helstowski

John G. Helstowski

CERTIFICATE OF CONFERENCE

I hereby certify that prior to the filing of the foregoing *Plaintiffs' Counsel's Unopposed Motion to Withdraw as Counsel of Record* on April 14, 2025, I conferred by email with attorney Shelley L. Hopkins and Robert D. Forster, II, lead counsel for Defendants Nationstar Mortgage LLC dba Mr. Cooper, and counsel advised that they are unopposed to the relief requested.

/s/ John G. Helstowski

John G. Helstowski